

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02722
Date Received: 10/18/1988
Receipt No: 5003127
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUN VALLEY WATER & SEWER DISTRICT 208-622-4438
Address: P.O. BOX 416
SUN VALLEY, ID 83353

2. Date of Priority: JAN 03, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	17E	24		NE	NE		BLAINE
	18E	5		SW	SW		BLAINE
		7		NE	NE		BLAINE

5. Description of diverting works:
3 WELLS & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL	01/01	12/31	3.630		2628.00

7. Total Quantity Appropriated is:
3.630 C.F.S. (and/or) 2628.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

(9). Non-irrigation uses: Municipal use for City of Sun Valley; Well Nos. 4a, 5 & 6

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	17E	24				MUNI	
	18E	5				MUNI	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	18E	6			MUNI	
		7			MUNI	
		8			MUNI	
		18			MUNI	
		19			MUNI	

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used: A37-07102; A37-07147; A37-02709

14. Remarks:

P/U WITHIN CITY LIMITS OF SUN VALLEY & SUN VALLEY COMPANY INC.

15. Basis of Claim: LICENSE

Water Right Number: 32672

COPY

MICROFILMED
FEB 23 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: /

~~XXXXXXXXXXXX~~

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Sun Valley Water & Sewer Dist Date: _____

John T. Brown Date: 10/20/88
John T. Brown, General Manager

State of Idaho)

) SS.

County of Blaine)

Subscribed and sworn (or affirmed) before me this 20th day

of October 19 88

Jan Hayes
Notary Public

Seal

Residing at Hailey, Idaho

My Commission Expires June 10, 1993

COPY

MICROFILMED
FEB 23 1993

Sun Valley Water & Sewer notes:

37-2709 – **Objected to**

- No resolution on Priority
- Changed POD description per USFS objection
- Added well #4A in S8 – Accomplished change in POD
or
- Amended Claim to change use to Municipal and POU to service area, include additional well #4A, and change POD description per objection.

37-2722 – **Objected to**

- No resolution on Priority
- Well in S5? No. Remove from Recommendation.
- Added well #4A in S8 and Well #1 in NESE S7 rather than NENE S7. Accomplished change in POD.

37-7102 – **Unobjected to**

- Amended Claim or Late Objection to add Well #8. Same QQ. When was this well drilled? Post-Priority Date will need transfer to add POD. Accomplished change in POD

37-7149 – **Objection resolved**

- Changed POU per objection
or
- Amended Claim to change use to Commercial and change POU to resolve objection

Should we include ski area buildings in Municipal POU? Do other wells serve that area or is it exclusively from 37-7149? The Roundhouse well is included in other WR#s.

District can annex areas not contiguous

Sun Valley Water & Sewer notes:

37-2709 – **Objected to**

- No resolution on Priority
- Changed POD description per USFS objection
- Added well #4A in S8 – Accomplished change in POD
or
- Amended Claim to change use to Municipal and POU to service area, include additional well #4A, and change POD description per objection.

37-2722 – **Objected to**

- No resolution on Priority
- Well in S5? No. Remove from Recommendation.
- Added well #4A in S8 and Well #1 in NESE S7 rather than NENE S7. Accomplished change in POD.

37-7102 – **Unobjected to**

- Amended Claim or Late Objection to add Well #8. Same QQ. When was this well drilled? Post-Priority Date will need transfer to add POD. Accomplished change in POD

37-7149 – **Objection resolved**

- Changed POU per objection
or
- Amended Claim to change use to Commercial and change POU to resolve objection

Should we include ski area buildings in Municipal POU? Do other wells serve that area or is it exclusively from 37-7149? The Roundhouse well is included in other WR#s.

District can annex areas not contiguous

11/26/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2722

NAME AND ADDRESS: SUN VALLEY WATER & SEWER DIST
PO BOX 416
SUN VALLEY ID 83353

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.630 CFS
2,628.000 AFY

PRIORITY DATE: 01/03/1966

POINT OF DIVERSION:

T04N R17E S24 NENE Within BLAINE County

T04N R18E S5 SWSW Within BLAINE County

T04N R18E S7 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1/01 12/31	3.630 CFS 2,628.00 AFY

PLACE OF USE:

Place of use is within the service area of the Village of Sun Valley municipal water supply system as provided for under Idaho Law, and on Sun Valley Company, Inc. property within Section 24, T4N R17E and Section 19, T4N, R18E.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



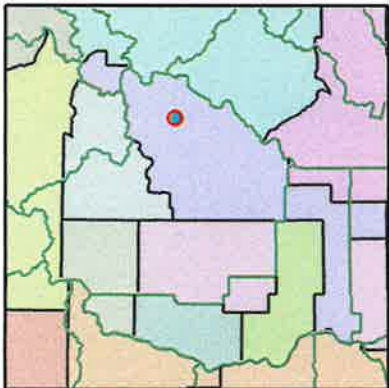
Sun Valley Water & Sewer Dist

SRBA Recommendation: 37-2722 & 37-7102

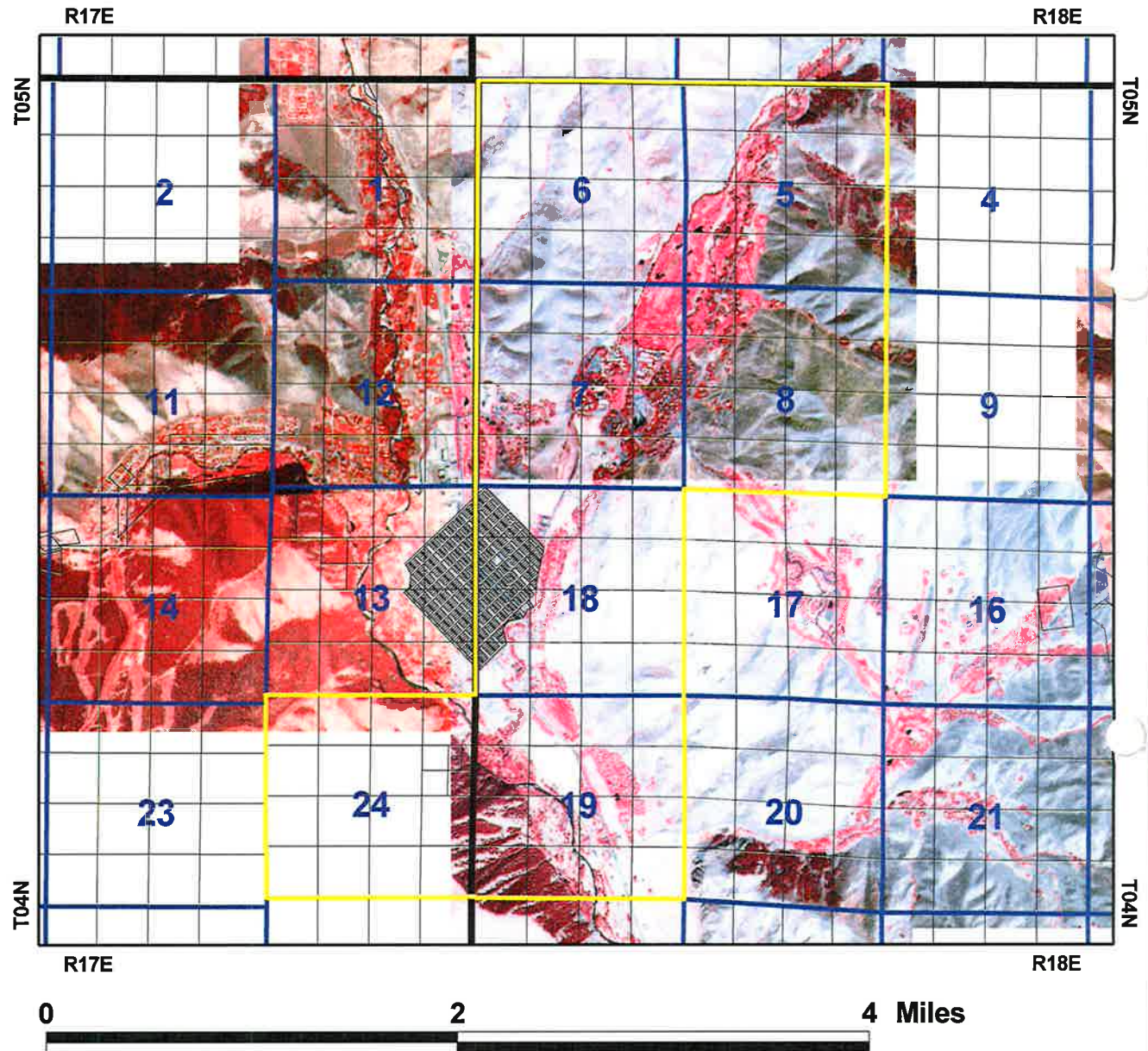
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



Prepared by A. Warntjes
On Friday, December 15, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32672/37-2722 Priority Jan. 3, 1966 Amount 3.63 cfs

THIS IS TO CERTIFY, that SUN VALLEY COMPANY, INC.
of Sun Valley, Idaho, has complied with the terms and conditions of Permit
No. 32672/37-2722 issued pursuant to Application for Permit dated January 3, 1966,
and has submitted proof to the Department of Water Administration on November 12, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.63 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 3.63 cfs for Municipal from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.63 cfs of water be diverted at
any one time, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7,
Twp. 4 N, Rge. 18 E, B.M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, Twp. 4 N, Rge. 17 E, B.M.
in the county of Blaine; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2,628 acre feet per year ~~xxx~~

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	18 E	5, 6, 7, 8, and 18	(Village of Sun Valley)																
4 N	17 E	24	(Sun Valley Company, Inc. Property)																
4 N	18 E	19	(Sun Valley Company, Inc. Property)																

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of

October, 19 72.


Director

37 2722

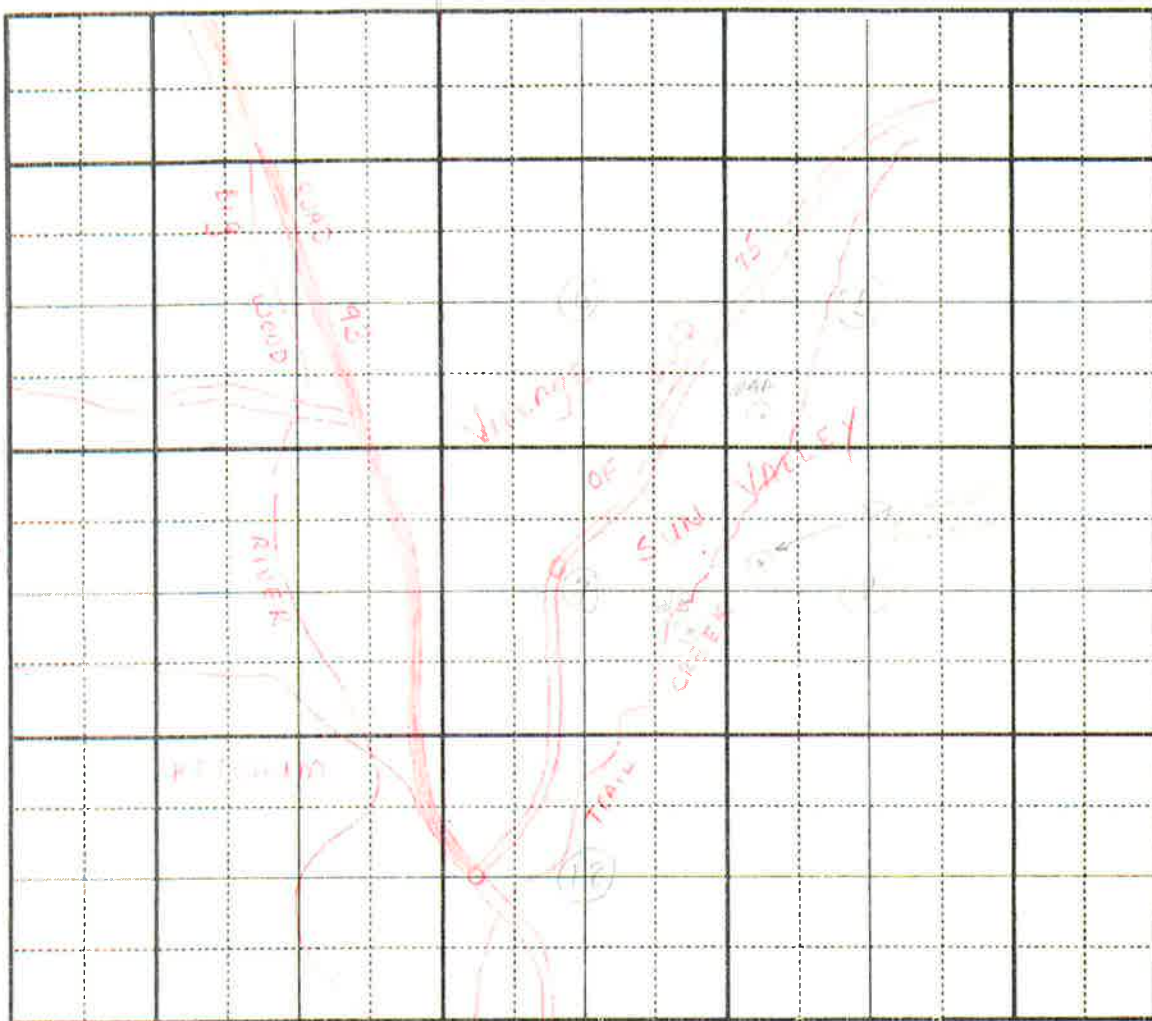


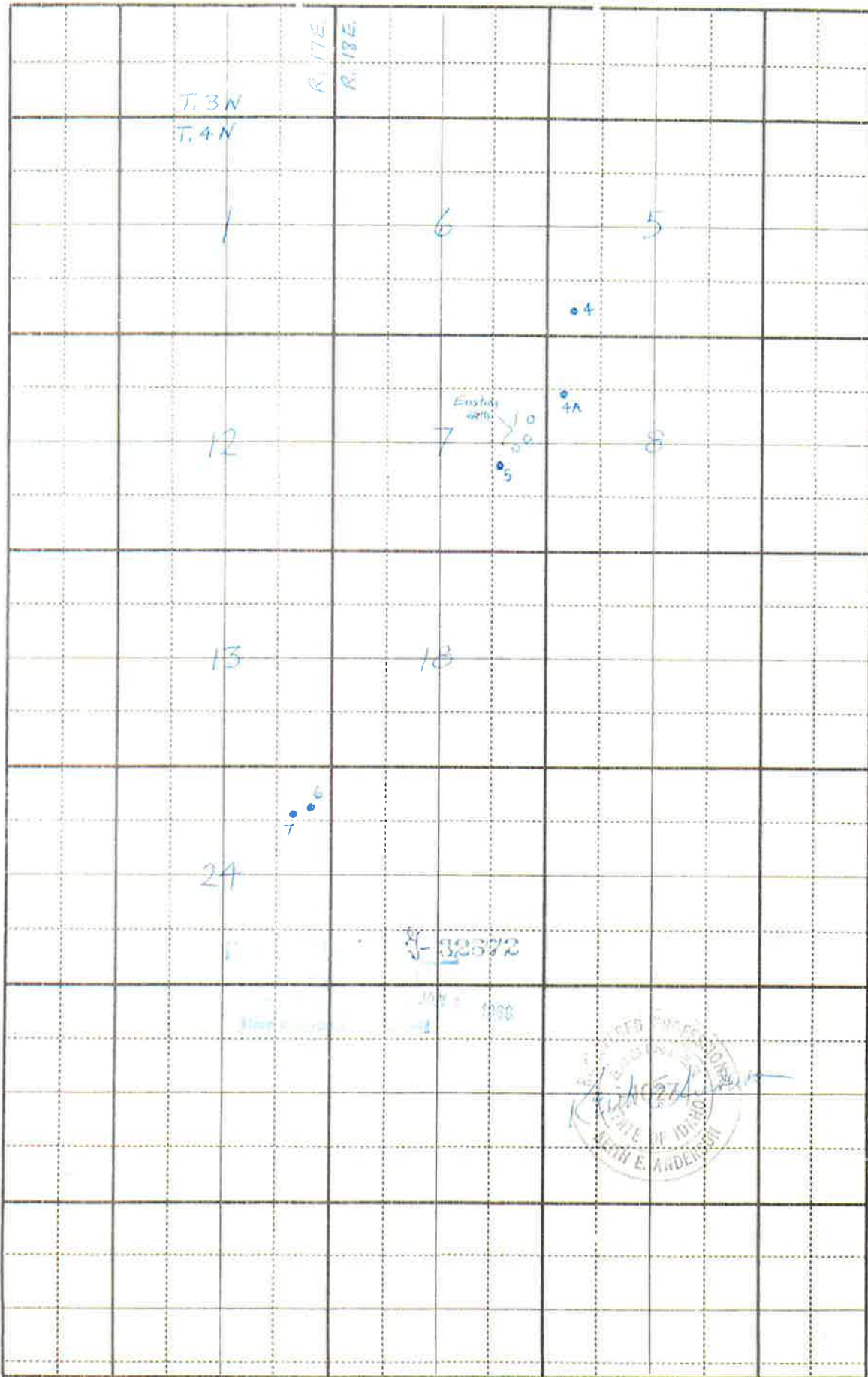
Diagram of System



NAME OF APPLICANT

Sunco Corporation, Sun Valley

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

332472

11/21/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water Right No. 37-2722

Sun Valley Water & Sewer District
POB 416

Sun Valley, ID 83353-0416

Telephone No.: (208)622-7610

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Priority Date of 01-03-1966 is in error.

2. Describe the changes you wish to make in the proposed recommendation:

Priority date should be 01-01-1937.

3. Give a brief explanation as to why you disagree with these portions:

This right relates to wells transferred to the Sun Valley Water & Sewer District by Sun Valley Company in the mid-1960s, but the wells were developed by Sun Valley Company at the time the resort opened in 1937.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Dec 11, 2006

SIGNATURE: J. Evan Robertson

Please print your name:

J. EVAN ROBERTSON

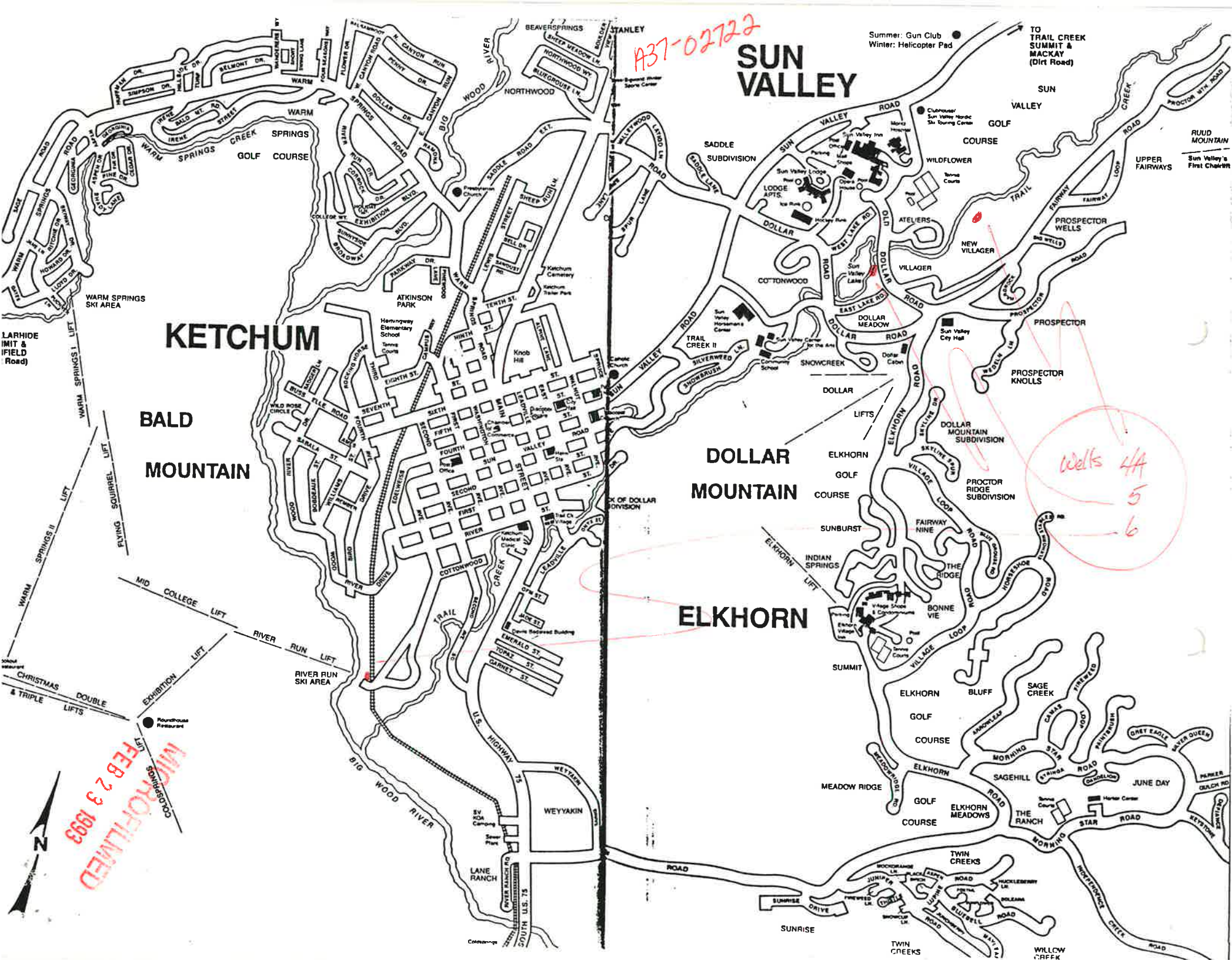
P.O. Box 1906, Twin Falls ID 83303

208-935-0700

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC 14 2006



NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

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G. RICHARD BEVAN
BRAD M. PURDY
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Boise Office
1020 MAIN ST., SUITE 400
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

June 13, 1989

RECEIVED
JUN 14 1989

Mr. Don Shaff
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Dear Don:

On April 6, 1989, we had a phone conversation regarding the SRBA claims of the Sun Valley Water & Sewer District. I had done a sweep of the adjudication side of the Public Access computer program on the PC here in the firm and did not find any claims under this applicant's name.

At the time, you indicated that the department is working on an electronic fix to make changes in receipted claims. I checked the AJ side of our computer access program this morning and note that there has been no change regarding the claims of this applicant. I enclose copies of the screens for your information.

Please advise the status of these claims and whether you have a suggestion for entering them into the adjudication either through the previously mentioned electronic fix or some sort of manual method. Best wishes. I appreciate your help and your interest in my on-going SRBA questions.

Very truly yours,

Frank

FRANCIS G. HITCHCOCK
Legal Assistant

FGH/
24321

Enclosures

5003127 10/21/88

MICROFILMED
FEB 23 1993
A3702722
2709
7102
7147



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 15, 1989

Mr. Francis G. Hitchcock
Legal Assistant
Nelson, Rosholt, Robertson,
Tolman & Tucker
P. O. Box 1906
Twin Falls, Idaho 83303-1906

A37-02722
A37-02709
A37-07102
A37-07147

Re: Snake River Basin Adjudication SRBA
Sun Valley Water & Sewer District
Blaine County

Dear Frank,

Responding to your letter of June 13, 1989, I see that today the four claims of the Sun Valley District are electronically stuck in the Southern Region computer. As I indicated then the completing of the receipt for the District's fees was done in error such that the water right numbers on the receipt do not match the water right numbers assigned to the claims. The fix to the receipting programs is in a testing stage at this time and should be in production soon. This will allow modifying the water right numbers within the receipt to permit the proper updating of the computer files.

From all appearances the claims of the Sun Valley District have been properly filed and the appropriate fees paid. Viewing of these records through the public access program should soon be available. Until that time I appreciate your patience as those of us at the Agency struggle with these little snags. As of today the method to confirm the filing of these claims is by contacting the Southern Region office where you may obtain photocopies or computer prepared copies.

Yours Truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:mcc:state

RECEIVED

FEB 14 1991

Department of Water Resources
Southern Region Office

MICROFILMED
FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

RECEIVED

MAR 1 1990

Department of Water Resources
Southern Region Office

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 22, 1990

Sun Valley Water & Sewer
C/O Jack Brown
P. O. Box 2410
Sun Valley, ID 83353

Gentlemen:

Our records show you have filed your adjudication claim(s) in the Snake River Basin Adjudication. Our records do not, however, include a clear map of your service area. Would it be possible for us to get a map of your customer service area for your municipal water system, both to supplement the record of your claim(s) and for use as described below?

In our review and investigation phase of the Snake River Basin Adjudication, the map would be helpful for us to have this information in verifying individual claims to water rights for domestic purposes. We will be happy to discuss with you the most convenient way for you to provide this information to us. I can be reached at 327-7931 or you may contact my assistant, Anita Warntjes at 327-7986.

Your assistance in this matter is greatly appreciated.

Sincerely,

DAVID B. SHAW
Adjudication Bureau Chief

DBS:alw

437-02709

02722

07102

07147

MICROFILMED
FEB 23 1993